



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.05 of 2012

Inda @ Indramani Appellant/Petitioner
Sundaray @ Chand Khan

Mr. A.K. Das, Advocate

-versus-

**State of Odisha Respondent/
Opposite Party**

Ms. S. Devi, ASC

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE S.S. MISHRA

ORDER

10.09.2025

Order No.

I.A. No.1219 of 2025

12. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This is an application under section 389 of Cr.P.C. for grant of bail.

Heard.

Perused the impugned judgment.

The appellant-petitioner has been convicted for the offences punishable under section 396 of the IPC read with sections 25 & 27 of the Arms and sections 3 & 4 of the Explosive Substance Act and sentenced him to undergo imprisonment for life and to pay a fine of Rs.10,000/- (rupees ten thousand), in default, to undergo R.I. for a further period of three months for the offence under section 396 of the I.P.C., to



undergo imprisonment for life and to pay a fine of Rs.500/- (rupees five hundred), in default, to undergo R.I. for a further period of one month and to undergo R.I. for a period of three years under sections 25 & 27 of the Arms Act and all the sentences were directed to run concurrently by the learned Ad hoc Additional Sessions Judge, FTC, Khurda vide judgment and order dated 15.12.2011 in S.T. Case No.38/45 of 2010/09.

When this bail application was taken up on 11.8.2025, learned counsel for the State produced the custody certificate of the petitioner which shows that the petitioner is in judicial custody for more than nineteen years including the period of remission. The order passed on the very same day also indicates that one of the co-accused, namely, Hapi @ Biralal Sahu, who though preferred this appeal, but again filed a separate appeal, i.e., JCRLA No.4 of 2017, has been directed to be released on bail by this Court vide order dated 24.06.2025. We asked the learned counsel for the State to obtain instruction regarding the criminal antecedent, if any, against the petitioner and today she has produced the written instruction dated 11.08.2025 received from the IIC, Model Police Station, Khordha to show that there was nothing adverse against the petitioner. The written instruction is taken on record.

Considering the submissions made by learned counsel for the respective parties, the period of detention of the petitioner in judicial custody, absence of criminal antecedents against the petitioner and release of the co-accused on bail, we are inclined



to release the petitioner on interim bail for a period of three months from the date of release and the petitioner shall surrender before the learned trial Court on expiry of the said interim period.

For the above period, let the appellant-petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.20,000/-(rupees fifty thousand) with one local solvent surety for the like amount to the satisfaction of the learned trial Court.

While on interim bail, the petitioner shall not indulge in any criminal activities and the IIC, Model Police Station, Khorda shall keep a close watch over the activities of the petitioner while on interim bail and the petitioner shall appear before the I.I.C., Model Police Station once in every Sunday between 10.00 a.m. to 4.00 p.m.

Violation of any of the conditions shall entail cancellation of bail.

The I.A. is disposed of accordingly.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge



CRLA No.05 of 2012

13. List this matter in the week commencing from 22nd December, 2025.

Learned counsel for the appellant shall file the surrender certificate of the appellant by the next date.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

Amit